

April 28, 2025

Act Now Comal
Alamo, Austin, and Lone Star chapters of the Sierra Club
Bexar Audubon Society
Bexar and Travis-Austin Green Parties
Bexar Grotto
Boerne Together
Bulverde Neighborhood Alliance
Bulverde Neighborhoods for Clean Water
Cibolo Center for Conservation
Citizens for the Protection of Cibolo Creek
Comal Conservation
Comfort Neighbors
Congregation of Divine Providence
Environment Texas
First Universalist Unitarian Church of SA
Fitzhugh Neighbors
Friends of Canyon Lake
Friends of Castroville Regional Park
Friends of Dry Comal Creek
Friends of Government Canyon
Fuerza Unida
Green Society of UTSA
Guadalupe Riverkeepers
Guadalupe River Road Alliance
Guardians of Lick Creek
Hays Residents for Land & Water Protection
Headwaters at Incarnate Word
Helotes Heritage Association
Hill Country Alliance
Kerr County Water Alliance
Kendall County Well Owners Association
Las Moras Springs Association
Leon Springs Business Association
Llano River Watershed Alliance
Native Plant Society of Texas -- NB
Native Plant Society of Texas -- SA
Northwest Interstate Coalition of Neighborhoods
Pedernales River Alliance -- Gillespie Co.
Preserve Castroville
Preserve Lake Dunlop Association
Preserve Our Hill Country Environment
River Aid San Antonio
San Antonio Audubon Society
San Antonio Conservation Society
San Marcos Greenbelt Alliance
San Marcos River Foundation
Save Barton Creek Association
Save Our Springs Alliance
Scenic Loop/Boerne Stage Alliance
Securing a Future Environment (SAFE)
SEED Coalition
Signal Hill Area Alliance
Solar San Antonio
Texans for Environmental Awareness
Texas Cave Management Association
Trinity Edwards Spring Protection Assoc.
Water Aid -- Texas State University
Watershed Association
Wildlife Rescue & Rehabilitation

The Honorable Cody Harris, Chair

The Honorable Armando Martinez, Vice-Chair

The Honorable Members Ashby, Barry, Bell, Buckley, Fairly, Gámez, Garcia, González, Romero, Jr., Villalobos, Zwiener

House Committee on Natural Resources

Re: House Bill 4135, An Act Relating to the Regulation of Stormwater Management by Certain Counties

The Greater Edwards Aquifer Alliance (GEAA) appreciates the opportunity to submit these comments on behalf of our sixty-two member groups that are allied in advocacy for the preservation of our ground and surface water resources in twenty-one counties within Central and South Texas. We strongly support House Bill 4135 and its Senate companion. **We ask that the House Committee on Natural Resources vote this bill favorably out of committee.**

Texas counties may generally only enact regulations and orders expressly authorized by state law. Counties therefore are not authorized to implement all the regulatory requirements necessary to protect water quality from stormwater runoff impacts. The exceptions to this general restriction on counties are those counties -- Bexar, Harris, and Travis -- granted explicit legal authority to implement stormwater management and pollution prevention programs under Title 13 Chapter 573 of the Texas Local Government Code.

Bexar and Travis counties are granted this enhanced ability to manage stormwater due to their size and their location over the sensitive Edwards Aquifer in order to protect critical groundwater supplies. Nonpoint source pollution, such as contaminated stormwater runoff, is currently the leading cause of water quality degradation in the United States.

More than 2 million people rely on the water supplies of the Edwards and Trinity aquifers -- karst limestone aquifers that are highly susceptible to pollutants and contamination from stormwater runoff. The springs and spring-fed rivers of these two aquifers are also major economic drivers for the regional economy. These aquifers are recharged by surface waters and stormwater that flow through the Texas Hill Country and the Edwards Aquifer Contributing Zone into the Edwards Aquifer Recharge Zone. Much of the Edwards Aquifer Contributing Zone overlies the recharge zone of the Trinity Aquifer; the two aquifers are closely interconnected. The quality of water in the aquifers is directly correlated to the quality of surface water and stormwater that flows through the Hill Country.

The counties between Bexar and Travis along the I-35 corridor and their neighboring Hill Country counties are some of the fastest growing in the state and nation. As population growth and development increases in the region, so too do the risks to water quality from contaminated stormwater runoff. The Edwards and Trinity aquifers are at just as much risk, if not currently more, from contamination from polluted stormwater in Comal, Hays, Kendall, and Williamson counties as they are from polluted stormwater in Bexar and Travis counties.

The Edwards Aquifer does not begin and end in Bexar or Travis County. To protect the karst aquifer groundwater supplies in Central Texas upon which millions rely, counties overlying the Edwards Aquifer or within the Hill Country Priority Groundwater Management Area


(PGMA) should be granted enhanced authority to implement stormwater management efforts.

HB 4135 is not a broad expansion of county authority; it is limited in scope and restricted only to those counties in which stormwater runoff can significantly impair groundwater quality in the Hill Country and Central Texas. Furthermore, chapter 573 provides an optional authority; counties who are granted this enhanced tool are not obligated to exercise it: "*Section 573.002(a) A county, district, or authority **may** take any necessary or proper action to comply with the requirements of the stormwater permitting program under the national pollutant discharge elimination system.*"

Counties with this enhanced authority may implement their stormwater programs to account for stormwater impacts county-wide, which can ease planning and management efforts and better protect groundwater quality. The ability to implement appropriate levels of stormwater management is considered critical to protecting the quality and safety of groundwater supplies by cities and counties in the region. Residents of counties over the Edwards Aquifer or within the Hill Country PGMA expect that their local governments – regardless of whether it is the city or county – will work to protect the quality of critical groundwater supplies. We have heard from multiple county officials and many residents who would like to see this bill pass in order to protect their groundwater supplies from contamination.

Thank you for your consideration, and please consider GEAA as a resource that is at your disposal.

We look forward to working with you on this issue.

A handwritten signature in black ink, appearing to read "Annalisa Peace".

Annalisa Peace
Executive Director
Greater Edwards Aquifer Alliance

A handwritten signature in black ink, appearing to read "Rachel Hanes".

Rachel Hanes
Policy Director
Greater Edwards Aquifer Alliance